

News from Ed Markey

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CONTACT: Michal Freedhoff or Israel Klein
(202) 225-2836

MARKEY SLAMS SCARCE SAFEGUARDS ON SHIPMENTS OF RADIOACTIVE MATERIALS

Lawmaker believes regulatory "black hole" could enable terrorists to use FedEx, UPS, to ship radioactive materials to the U.S. for use in future attacks

WASHINGTON, D.C. --

Representative Edward J. Markey (D-MA), a senior Member of the House Energy and Commerce Committee and co-chairman of the Bipartisan Task Force on Nonproliferation, today released letters from the Nuclear Regulatory Commission (NRC) and FedEx that suggest serious flaws exist in the system for securing radioactive shipments to the U.S.

The NRC and FedEx letters were provided in response to inquiries Rep. Markey initiated in January, 2002, following press reports that a shipment of radioactive materials from Paris to Louisiana was leaking dangerous levels of radiation. The U.S. Customs Service has thus far failed to respond to the Congressman's request for information regarding its handling of this matter, but responses provided by the NRC and Fedex reveal numerous inadequacies in current regulations to prevent the importation of dangerous radioactive materials for use in future terrorist attacks. The UPS requested that its response be withheld from public release because they "do not discuss security matters publicly." Rep. Markey noted that this response revealed similar shortcomings.

"It is unacceptable that no controls to prevent the importation of dangerous radioactive materials exist," said Rep. Markey. "Terrorists could be using consignment carriers such as FedEx and UPS to send radioactive materials to the U.S. for use in future attacks, just as the hijackers used our flight schools and our airplanes to commit the attacks of September 11. This problem should trigger multiple homeland security alarms both within our government and in our package-delivery services, and should be remedied immediately."

Rep. Markey added, "Instead of, 'You've Got Mail' the current system essentially tells delivery workers and package recipients, 'You've Got Nuked.'"

In January 2002, FedEx shipped a 300pound package containing 9400 curies of radioactive iridium-192 from Paris to the Source Production and Equipment Company in St. Rose, Louisiana. The package was reportedly emitting so much radiation by the time it was delivered that an individual exposed to it could have developed symptoms of radiation poisoning within several hours. The radiation leak reportedly went undetected by officials at both U.S. Customs and FedEx, prompting Rep. Markey's letters of concern. Numerous reports have also detailed attempts by members of Al Qaeda to obtain radioactive materials for use in dirty bombs, which could spread radioactive materials over a large area using

conventional explosives, or "homemade nuclear bombs" which could achieve the same explosive force as a small nuclear weapon.

The responses to Rep. Markey's letters report that:

- According to the NRC, "It is not possible to rule out unauthorized imports" [of radioactive materials].
- According to the NRC, "there are no NRC requirements... to check for radiation from packages that are not known to contain radioactive materials or identified (e.g. by labels) as containing radioactive materials." There is no requirement for radiation detectors to be placed at all ports of entry to the U.S., in vehicles used to deliver packages, or in facilities used to store packages for shipment to or within the U.S. Crew members on flights carrying packages are not required to wear radiation monitors to determine whether they have been exposed to radiation.
- While federal and international regulations require that both the shipper and recipient of radioactive materials hold a license to possess them, the shipper of the materials - not the consignment carriers such as Fedex, and not U.S. Customs - have the responsibility to verify that this is the case before the shipment is made.
- Consignment carriers such as Fedex or UPS have no regulatory responsibility to ensure that a package is not leaking radioactivity prior to shipping it to the U.S., or that it begins to leak prior to reaching its final destination.

"Many reports have detailed the attempts of members of Al Qaeda to obtain radioactive materials in order to create and detonate dirty bombs or improvised nuclear bombs that could kill many people and radioactively contaminate entire communities," said Rep. Markey. "We need to make sure they are not able to do so by taking advantage of a regulatory black hole at our borders or in our package delivery system." For all correspondence on this issue, please refer to our website, www.house.gov/markey.

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